

OLC: 78-1321/2
13 April 1978

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STAT MEMORANDUM FOR:
Assistant General Counsel

STAT FROM:
Acting Chief, Coordination and Review Staff
Office of Legislative Counsel

SUBJECT: Alliance to End Repression, et al. v. Rochford,
et al. Civil Action No. 74-C-3268

REFERENCE: (a) OGC memo 6 April 1978 (OGC 78-2159)
(b) OGC memo 10 April 1978 (OGC 78-2249)

We have reviewed the material submitted by the memos referenced above and have made the following determinations on the Congressional material involved.

a) Reference (a) transmitted a draft report prepared by the House Committee on Internal Security. We have determined that this document was openly published in its entirety by that Committee in 1970. A copy is available in the Library. Office of Security has informed us that there is no basis for removing their penciled notations on the draft document. There appears to be no reason for withholding this draft report in the subject case unless we can refer the requester to the Government publication.

b) Reference (b) asks for OLC's review for release of an excerpt of information extracted from the files of the House Committee on Un-American Activities (HCUA) located by the Office of Security in its files. For your background information, a check of the files of HCUA was part of the established Government-wide National Agency Check (NAC). Most of these files were overt published information. Office of Security has informed us that this information is routinely released, unless there is an extreme national security interest for withholding, which is not the case in subject litigation. It appears that the results of this check of open information are releasable and we need not clear the document with the Congress. Also, the House Internal Security Committee, successor to the HCUA, has been abolished.

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